

**MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD NOVEMBER 12, 2018**

*(Approved December 10, 2018)*

The Board of Supervisors held its regular monthly meeting on Monday, November 12, 2018. The following Supervisors were present for the meeting: W. Atlee Rinehart, Anthony Duffy, Ray Kolb, Michael Albert Moyer, and Karen Nocella. Also present were Bernard A. Rodgers, Interim Township Manager, Brady L. Flaharty, Township Engineer and Mark A. Hosterman, Township Solicitor.

Mr. W. Atlee Rinehart called the meeting to order at 7:00 p.m. and there was a moment of silence in recognition of Veteran's Day. The pledge of allegiance was recited.

Mr. Hosterman stated that an executive session was held immediately preceding this meeting to discuss two (2) personnel matters. Mr. Hosterman also stated that there were executive sessions held on October 28, 2018 and November 1, 2018 to discuss a personnel matter. He stated that Mr. Brian Harris who had been appointed as Township Manager by Resolution at the Board's October 8, 2018 meeting to begin employment on Monday, October 29, 2018 had contacted Mr. Rinehart on October 28, 2018 and informed him that he had accepted a position with a different Township and would not be reporting to work at East Coventry Township on Monday, October 29, 2018 as planned. Mr. Hosterman stated that the Board then contacted Mr. Rodgers and asked him to come back as the Interim Township Manager until a new manager could be found.

A motion was made by Mr. Rinehart to ratify the appointment of Bernard A. Rodgers as Interim Township Manager, Secretary and Treasurer to be compensated as an independent contractor at an hourly rate commensurate with the salary and benefits received during his employ as Township Manager for the period of time beginning November 1, 2018 until such time as a new Township Manager is appointed. Mr. Kolb seconded the motion. Mr. Rinehart called for the vote and the motion carried 5-0-0.

Mrs. Nocella made a motion was made to ratify the appointment of Ray Kolb as Acting Secretary for the period of time the Township was without a Township Secretary or Interim Township Secretary. Mr. Duffy seconded the motion. Mr. Rinehart called for the vote and the motion carried 5-0-0.

**1. ORDINANCES**

**Ordinance No. 227 "Amendments to Brush, Weeds and Grass Ordinance"**

Consideration of advertising for adoption an Ordinance amending the codified ordinances of East Coventry Township, Chester County, Pennsylvania, to Amend Chapter 10 (Health and Safety), Part 5 (Brush, Weeds and Grass), Section 10-501 (Declaration of Nuisance) to Declare Grass Clippings in the Roadway a Nuisance; to Amend Section 10-502 (Height Restrictions; Exceptions; Noxious Vegetation Prohibited), to include Grass Clippings in the Section Title and to add New Subsection 3 Prohibiting Grass Clippings, Leaves and Yard Waste on Public and Private Roads; to Amend Section 10-503 (Notice of Violation; Abatement), Subsection 1 to Treat a Foreclosing Lender as an Owner, and to Add a New Section 10-506 Entitled "Violation of Control Order from Department of Agriculture; Abatement by Township". Mr. Hosterman reviewed the proposed Ordinance.

Mrs. Nocella made a motion to advertise proposed Ordinance No. 227 for consideration of adoption at the Board of Supervisors December 10, 2018 meeting. Mr. Kolb seconded the motion. Mr. Rinehart called for the vote and the motion carried 5-0-0.

Ordinance No. 228 “Miscellaneous Traffic, Zoning and Subdivision and Land Development Ordinance Amendments”

Consideration of advertising for adoption an Ordinance amending the codified ordinances of East Coventry Township, Chester County, Pennsylvania, to Amend Chapter 10 (Health and Safety), Part 5 (Brush, Weeds and Grass), Section 10-502 (Height Restrictions; Exceptions; Noxious Vegetation Prohibited), Subsection 2 to Update the Reference to Governing State Law; to Amend Chapter 15 (Motor Vehicles), Part 4 (General Parking Regulations), Section 15-409 (Additional Parking Regulations), to Clarify the Definition of “Roadway” and the Permitted Parking Distance from the Curb, and Prohibit Parking Within 20 Feet of an Intersection; to Amend Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 22-202 (Definitions), to Amend the Definition of “Yard, Side” and Update References to the Governing Open Space Plan; to Amend Part 3 (Plan Processing and Content), Section 22-301 (Plan Classification and Public Notification), Subsection 3, Paragraph A (Minor Subdivision Plan), to Limit to 20 Years the Restriction on Minor Subdivision Status for Previously Subdivided Properties; to Amend Part 4 (Development Design Standards), Section 22-410 (Street Intersections), to Add New Subsection 6 Entitled “Obstructions to Vision” Establishing Sight Distance Requirements for Driveways and Intersections; and Miscellaneous Technical Amendments to Chapter 22; to Amend Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definitions), to Amend the Definition of “Garden Shed”, to Update References to the Governing Open Space Plan and to Add a Definition for “Yard, Side”; to Amend Part 20 (Wireless Communications Facilities), Section 27-2003 (General Requirements for All WCF Structures and Wireless Communications Facilities), Subsection 1, Paragraph P (Indemnification), to Expand the Indemnification Provisions; and Miscellaneous Technical Amendments to Chapter 27. Mr. Hosterman reviewed the proposed Ordinance.

Mr. Kolb made a motion to advertise proposed Ordinance No. 228 for consideration of adoption at the Board of Supervisors December 10, 2018 meeting. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Ordinance No. 229 “Amendment to Sign Ordinance”

Consideration of advertising for adoption an Ordinance Amending the Codified Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 27-1314 (Sign Regulations), Subsection 14 (Signs in Residential Districts), Paragraph B (Signs for Residential Uses), to Add a New Subparagraph (5) to Permit Schools and Colleges that Install Only One Freestanding Sign to also Install One Building Wall Mounted Sign Not Exceeding 50 Square Feet. Mr. Hosterman reviewed the Ordinance.

Mr. Duffy made a motion to advertise proposed Ordinance No. 229 for consideration of adoption at the Board of Supervisors December 10, 2018 meeting. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Missy King of 10 Eleanor Drive, asked if the entire Ordinance is in the paper and if not, how can it be reviewed. Mr. Hosterman stated it is summarized in the paper and a full version of the Ordinance is available to reviewed at the Township building or it may be copied for whatever the Township charges per page. Missy King also asked if the Ordinance is available on the website for review. Mrs. Kutsch stated that it isn’t posted on the website until it is adopted.

**2. SOLICITOR’S REPORT**

Mr. Hosterman stated he is working with Chief Mossman on a Dog at Large Ordinance and will have a draft of this Ordinance for review at the next Board of Supervisors meeting. He also stated he has assisted with various personnel matters and on the acquisition of open space and conservation easement as well as a trail easement.

### **3. MINUTES**

#### **October 8, 2018, Meeting Minutes**

Mr. Kolb made a motion to approve the minutes as written. Mr. Duffy seconded the motion. Mr. Rinehart called for the vote and the motion carried 5-0-0.

### **4. PUBLIC COMMENT**

Missy King of 10 Eleanor Drive, wanted to follow up on the request she made of the Board of Supervisors adding an additional \$1,000 to the budget for the Spring City Public Library. Mr. Rinehart said it was not added in but will be discussed when they talk about the budget.

Sandy Bauers of 169 Saw Mill Road, is concerned about the availability of the public to review, ask questions and comment about the 2019 proposed draft budget. She understands it won't be available to review until after the meeting tonight and her concern is that they are listening to numbers but don't have the ability to review it. She asked if a month's time will be enough for the Board of Supervisors to consider the public's input. Mr. Rinehart stated the official budget needs to be adopted before the end of the year. Mr. Rodgers stated that they do still have the ability to make changes and that any individual line item can be changed up to 10% or the entire budget by an aggregate of 25% without being re-advertised. The draft budget will be available on the website once the Board of Supervisors approves the draft budget for advertising.

George Colette of 80 Country Lane, asked if anything can be done about the ATV's, bikes, 4x4's, and pickup trucks riding around on the power lines which is private property owned by PECO. Mr. Rodgers said it's up to PECO to do something about trespassing. Mr. Hosterman suggested he call the police when he hears them.

Liz Willow of 683 Ellis Woods Road, gave a spotted lantern fly update. Walt Woessner stated he knows someone who is licensed to treat the trees for the spotted lantern fly infestation. Larry Tietjen, 131 Maack Road, stated the Maack property is infested with spotted lantern flies.

### **5. REPORTS**

#### **Township Manager's Reports**

##### **Consideration of Proposal, Parkerford Trailhead/Riverside Park Conceptual Development Plan**

Mr. Rodgers reviewed the proposal from Schuylkill River Greenways regarding the Parkerford Trail/Riverside Park Conceptual Development Plan. Mr. Rodgers would like this proposal considered and recommended that \$3,000 be added to the draft 2019 budget for the Township's proposed contribution. The total cost of the master plan is \$24,000 with Schuylkill River Greenways contributing \$18,000 and that East Coventry Township and East Vincent Township each contributing \$3,000. A discussion ensued regarding this proposal. Mr. Flaharty stated there is a potential for a sewage pumping station to be put in that area. Mr. Rodgers suggested this proposal be accepted on the condition that the master plan include the potential for the location of the pumping station and that East Coventry Township's \$3,000 is conditional on East Vincent Township contributing \$3,000. Mr. Duffy made a motion to accept the master plan proposal of East Coventry Township based on the conditions Mr. Rodgers stated. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

##### **Consideration of Approval to Authorize Advertisement of the 2019 Proposed East Coventry Draft Budget for Approval at the December 10, 2018 meeting of the Board of Supervisors.**

Mr. Rodgers reviewed the 2019 Proposed Budgets for East Coventry Township. He noted changes to the draft budgets that had been distributed to the Board at the October meeting as follows: adding approximately \$20,000 to the General Fund for family health insurance for the new Township Manager; created separate line items to account for the position of Assistant Director of Public Works and adjust various line item costs in connection with the creation and implementation of that new position; add

\$3,000 to the Open Space Fund for the contribution to the Schuylkill River Greenways Master Plan and \$1,000 as an additional contribution to the Library.

A discussion ensued regarding the Henrietta Hankin Library and the Spring City Library. Both Missy King and Gail Brown spoke about how the Spring City Library has a lot of children's programs and how this library benefits the community. The \$1,000 that would be added to the budget will go directly to the Spring City Library.

Mr. Duffy made a motion to proceed with the changes noted above and authorize to advertise the 2019 Draft Budgets for adoption at the Board of Supervisor's December 10, 2018 meeting. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Consideration of Approval of Amendment No. 1 to Frens and Frens, LLC Professional Services Agreement.

Mr. Rodgers reviewed the Amendment No. 1. Mr. Kolb made a motion to ratify approving the Amendment No. 1 to Frens and Frens, LLC Professional Services Agreement. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Consideration of Application for Special Fire Police Services

Mr. Rodgers recommended that the Board of Supervisors approve the following application:

- St. Thomas More Church, Sunday, May 19, 2019 from 8:30 am to 1:00 pm. Mr. Kolb made a motion to approve the Special Fire Police Services for St. Thomas More Church. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Mr. Rodgers stated he and Chief Mossman have reviewed applications for two (2) Part-Time Police Officers and recommend that the Board of Supervisors approve hiring Patrick Whalen and Gregory Bickel as Part-Time Police Officers for East Coventry Township. Mr. Kolb made a motion to approve hiring Patrick Whalen and Gregory Bickel as Part-Time Police Officers for East Coventry Township. Mr. Rinehart seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Consideration of approval of the Township Engineer's Report

Mr. Flaharty had nothing to report at this time. Mr. Kolb made a motion to approve the Township Engineer's Report. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Consideration of approving reports from various departments and committees

Mrs. Nocella stated that Parks & Recreation were going to ask about adding money in the budget for the Run, but it has come to their attention that there is already money in the budget. Mr. Rodgers stated that \$4,500 has been budgeted.

Mrs. Nocella stated that the Parks and Recreation Commission would like to revisit the issue of East Coventry Township participating in the Pottstown Area Regional Recreation Coordinator Program (PARRC). A discussion ensued regarding PARRC and how participation could benefit East Coventry Township. She stated it is a five (5) year commitment. If they commit to doing this East Coventry Township would be 1 out of 7 municipalities that are involved with PARRC and the cost would be \$6,859 for the 1<sup>st</sup> year, \$7,012 for the 2<sup>nd</sup> year, \$7,168 for the 3<sup>rd</sup> year, \$7,330 for the 4<sup>th</sup> year, and \$7,496 for the 5<sup>th</sup> year.

Mr. Moyer asked if the payments to PARRC can be funded from the Open Space Fund. Mr. Rodgers stated that Open Space money is used for projects and maintenance. Since this is for a professional service and not related to a specific project it may not be able to be funded from the Open Space Fund.

Mr. Hosterman will look into whether or not the Open Space Fund can be used for participation in this organization.

Mr. Rodgers stated that after speaking with PARRC, the Township is not committed to the entire five (5) years and that it can withdraw at the end of the second year but would owe for the first half of the third year. What PARRC would do is take care of getting grants and design work for potential projects. This program doesn't include engineering costs. Mr. Rodgers reviewed Resolution No. 2018-26 Authorizing the Township's Participation with PARRC beginning September 1, 2019. He said the Township should not expect to be invoiced until July of 2019. For purposes of this Resolution, it is assumed the payment for this program will come from the General Fund and \$10,000 has been budgeted for Planning.

Mr. Kolb made a motion to approve Resolution No. 2018-26 Authorizing the Township's Participation with PARRC beginning September 1, 2019. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 3-2-0. Mr. Duffy and Mr. Moyer voted NO.

Walt Woessner inquired if the Township was working toward meeting the goals and objectives outlined in the Comprehensive Open Space and Recreation Plan adopted by the Board and requested that the Planning Commission be kept informed of any proposals or projects. Larry Tietjen asked if Rick Tralies (Township Planner) could put together a schedule of items that are being considered so the Planning Commission can see what they need to address. Mr. Rodgers said that he would discuss that with Mr. Tralies. He also stated that Mr. Trailer is currently working on a plan proposing several improvements to Ellis Woods Park. Those proposed improvements and the installation of the proposed pickle ball court in 2019 would meet some of the goals and objectives of the recently adopted Open Space and Recreation Plan.

## **6. SUBDIVISIONS AND LAND DEVELOPMENT**

No submittals brought before the Board.

## **7. ZONING HEARING BOARD APPLICATIONS**

Application No. 273 – 1426 East Schuylkill Road – 815 Infinity Associates, LLC c/o Dr. Theresa Burns. Mr. Kolb made a motion to take no action at this time. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Mr. Rinehart would like to have on the agenda for discussion at the next Board meeting a zoning change for the area along Old Schuylkill Road across from the Whispering Woods Development from R3 to Commercial. A discussion ensued regarding how this change would be reviewed. It was determined that it would be considered a map change under the MPC and would likely be a lengthy process. Mr. Rodgers recommended that if the Board of Supervisors wanted to consider Mr. Rinehart's suggestion that it should charge the Township Planning Commission review the suggested zoning map revision and make a recommendation to the Board regarding same. Mr. Rinehart made a motion to have the Planning Commission review the possible zoning map, that it be placed of the Planning Commission's December 2018 meeting agenda and that the Planning Commission make a recommendation to the Board of Supervisors regarding the suggested change. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

## **8. OTHER BUSINESS**

Resolution No. 2018-21 – A Resolution Establishing Eligibility Criteria for Tax Credits for Volunteer Service Members in Accordance with PA Act 172 and Chapter 24, Part 6 of the East Coventry Township Code of Ordinances Entitled "Volunteer Service Tax Credits". Mr. Rinehart made a motion to approve Resolution 2018-21. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Resolution No. 2018-22 – A Resolution Appointing RKL, LLP, a Firm of Certified Public Accountants, to Replace the Elected Auditors of East Coventry Township and Make an Examination of All Accounts of East Coventry Township for Fiscal Year Ending December 31, 2018. Mr. Rinehart made a motion to approve Resolution 2018-22. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Resolution No. 2018-23 – A Resolution Designating Ambulance Service of and for East Coventry Township, Chester County, Pennsylvania, and Providers of Ambulance Services Therein. Mr. Kolb made a motion to approve Resolution 2018-23. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Resolution No. 2018-24 – A Resolution for Plan Revision for New Land Development (Brand Property). Mr. Kolb made a motion to approve Resolution 2018-24. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Resolution No. 2018-25 – A Resolution of East Coventry Township, Chester County, Authorizing the Submission of a Multimodal Transportation Fund Grant Application for Peterman Road Improvements. Mr. Rodgers reviewed this Resolution and stated that the Resolution has to be included as part of the grant application. Mr. Rodgers also stated that Mr. Rinehart's name needs to be in the Resolution in place of his name as the official to execute all documents and agreements between East Coventry Township and the PA Department of Transportation. He also noted that PennDOT requires a letter from East Coventry Township committing \$781,655.15 as the required match for this project. The money would come from the Traffic Impact Fund or Capital Reserve Fund. Mr. Moyer made a motion to approve Resolution 2018-25 as stated. Mr. Kolb seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Mr. Rodgers asked for a motion to approve the matching funds for the project. Mr. Moyer made a motion to authorize the commitment of matching funds for this project. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

## **9. EXONERATIONS**

Mr. Moyer made a motion to approve the exonerations. Mr. Kolb seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

## **10. PAYMENT OF BILLS**

Mrs. Nocella made a motion to approve the payment of bills as presented.

<u>Fund Name</u>	<u>Amount to Pay</u>
General Fund	\$ 744,545.90
Open Space	1,065.03
Sewer Operating Fund	15,070.95
Sewer Capital Fund	-
Traffic Impact Fee Fund	900.00
Capital Reserve	14,726.00
Highway State Aid Fund	6,210.00
TD Escrow	-
<b>Totals</b>	<b>\$ <u><u>782,517.88</u></u></b>

Mr. Kolb seconded the motion. Mr. Rinehart called for a vote and the motion carried with a 5-0-0 vote.

Mr. Kolb stated that Parks & Recreation had a good turn out for the Awesome Autumn Hike.

Mr. Rinehart asked if there was a Resolution needed regarding the enforcement of the new “school zone” sign along East Cedarville Road for the new East Coventry Elementary School and can the “school zone” signs along Sanatoga Road be removed. Mr. Hosterman said an Ordinance would be required and that he would prepare an ordinance for the Board’s consideration.

Mr. Kolb asked Mr. Flaharty if residents on East Cedarville Road can tie in to the sewer line near the new school. Mr. Flaharty believes the sewer line has not been dedicated to the Township yet, but will look into it. They will be able to connect but not until the line is dedicated to the Township.

Mr. Duffy stated he attended two (2) public meetings for the Steering Committee for the Owen J. Robert School District regarding the “old” East Coventry Elementary School. He made recommendations to them to use it for a senior center, youth center, the use of conference rooms for nonprofit organizations in the surrounding townships. There will be further meetings regarding this but right now the school district is collecting data. Mr. Rinehart would like to see the fields used for sports activities. A resident recommended the gymnasium of the old school be used for indoor pickleball courts. The Steering Committee’s last meeting at the Owen J. Roberts High School is on Wednesday, November 14, 2018.

#### **11. ADJOURNMENT**

Mr. Moyer made a motion to adjourn the monthly meeting at 8:40 pm. Mr. Kolb seconded the motion. Mr. Rinehart called for the vote and the motion carried 5-0-0.

Respectfully submitted,

Bernard A. Rodgers  
Township Manager